

**CITY OF MARLBOROUGH
CONSERVATION COMMISSION**

MINUTES

January 3, 2008

Memorial Hall, 3rd Floor, City Hall

Members Present: Edward Clancy-Chairman, David Williams, Lawrence Roy, John Skarin, Michele Higgins and Priscilla Ryder-Conservation Officer

Absent: Allan White; Dennis Demers,

Discussion- None

Public Hearings

Notice of Intent (Continuation of Public Hearing)

735 Boston Post Rd. East - Route 20 Marlborough Properties

Forrest Lindwall of Mistry Associates was present and represented the applicant R.K. Associates. He presented a revised plan showing some of the changes requested at the previous meeting these included:

1. Adding more trees and shrubs to the buffer zone area
2. Including construction sequencing notes
3. Adding information about the meadow mix and maintenance and
4. The sight line from Home Depot and Rte. 20 were shown on the display copy provided at the meeting

Mr. Lindwall explained that he thought these addressed the issues raised at the previous meeting. However, Chairman Clancy and Commissioner Higgins explained that because the original trees were taken down in violation of the Wetlands Act without a permit, it made more sense to re-vegetate the entire 100' buffer zone and not just the 20 foot no disturbance buffer zone. After some lengthy discussion about sight lines and the need to restore the 100' buffer zone more fully, Mr. Lindwall suggested adding some shrubs in the 100' buffer zone area to naturalize the area between the new roadway and the boulders shown on the plan. 45 shrubs are already called out on the plan, these could be redistributed throughout the "open field area designated for meadow mix on the plan". After additional discussion, the Commission agreed to the shrub layer within the proposed meadow mix area, with some limited mowing permitted in order to prevent tree growth in this area over time.

The Commission closed the hearing and reviewed the draft Order of Conditions for the project a bit later in the meeting. Upon review of the draft and some discussion about the addition of the shrubs in the "meadow mix area" and maintenance of this area, the Commission voted unanimously 5-0 to issue the Order of Conditions as drafted and amended.

Notice of Intent (Continuation of Public Hearing)
Hayes Memorial Dr. – First Student, Inc.

At the applicants request due to the snow cover and the inability to check the wetland delineation, this item was continued to the Jan. 17, 2008 meeting.

Notice of Intent

84 and 158 Waterford Dr. (off Robin Hill St.) – Sepracor, Inc.

Bill Bergeron from Hayes Engineering and Bryan Iwata of Sepracor were both present. Mr. Bergeron explained that Sepracor is now constructing the second building in the complex and desires to now connect these buildings with a pedestrian walking path that will connect the third floor at both of these buildings. The pedestrian bridge as proposed would span over an existing wetland, which is the outlet channel for Muddy Pond and is a man made channel. The walkway would be 28+ feet off the ground and will go through the crowns of the trees over the wetlands. 21 trees within the wetland and 20 ft. buffer zone are proposed to be removed to accommodate the pedestrian bridge construction and long term use. Some additional tree trimming over the years will also be needed long term to maintain the proper clearances and safety for the pedestrian bridge. The trees to be removed are to be replaced with 42 shrubs that are shade tolerant. A list of these species and their habitat needs was provided in the Notice of Intent filing. The shrub species were also chosen for their wildlife habitat enhancement value as cover and food source. The trees to be removed will be cut in such a way that an 18-20 foot snag can be left for wildlife value.

The 184 foot long pedestrian bridge will be supported with three steel tubed frames installed with steel caissons to minimize the ground disturbance.

The Commission asked several questions on why the walk way was necessary and what the long term impact to the wetland would be. Mr. Bergeron and Mr. Iwata explained that the walkway is a convenience to allow foot travel between the two buildings and they have been working to minimize disturbance on the ground. After some additional discussion the Commission determined that a site visit would be needed to view the trees to be removed, the location of the pedestrian bridge and the location of the steel support structures. Mr. Bergeron will mark these items in the field and let the Commission know when this has been accomplished so the Commission can check the site before the next meeting.

The hearing was continued to the January 17th meeting.

Notice of Intent

247 Maple St. – Dennis Kennedy

Peter Bemis from Engineering Design Consultants was present as were Dennis and Michael Kennedy. Mr. Bemis explained that the Kennedy's have purchased some parcels adjacent to their current Restaurant and have now master planned the renovation and additions to the restaurant and the construction of the

adjacent commercial and automotive zoned property. The proposal includes the following:

- Demolishing the existing fish market, relocating the fish market into the building that used to be the Comcast building which will itself be remodeled to serve as a casual dining and gathering area.
- Relocating the kitchen into the Comcast building to serve both the market and the restaurant.
- The second part of the plan is to install two buildings on what used to be the Mongeau property between Kennedy's and the Fire station. One of the buildings will be long and narrow and will be located along the old railroad bed area; the second will be a larger building around the existing building on the site.

Mr. Clancy noted that the previous permits issued to the Kennedy's allowed for the culverting of a small section of the stream on the property, with the approval of the Metropolitan District Commission (MDC now known as DCR). In the Order of Conditions issued for that work, a portion of green space adjacent to the culvert was to be left open and green to allow for infiltration. He noted that the Commission would like to see this additional green space added to the plans. Mr. Bemis did provide a diagram showing this green space, having received Ms. Ryder's comments by e-mail, he has not yet incorporated the full square footage of this green space, but has substantially increased the green space coverage on the site. Mr. Bemis indicated he would work on incorporating that. The Commission suggested that this might be best located somewhere near the open channel of the stream to help restore this riparian corridor.

The Commission reviewed the plans and discussed with Mr. Bemis the traffic circulation patterns, drainage patterns current and proposed and grading on the site. Mr. Bemis also explained that he still needs to get some feedback from Steve Reid regarding some zoning issues and that he needed to bring the plan before the Site Plan Review committee next week for some preliminary input on several of the items noted above. Ms. Ryder noted that the wetland line should be checked next to the large detention basin as it doesn't quite reflect the wetland boundary.

The Commission requested that the next plan revisions include the construction sequencing and phasing plan, drainage information and green space items noted above.

The hearing was continued to the February 7th meeting to allow time for review and revisions by others. The applicant consented to the continuation.

Correspondence/Other Business

The following correspondence was reviewed and the Commission unanimously voted to accept and place on file.

- Letter from Sanford Ecological Services, Inc. dated November 26, 2007 RE: Results of fall 2007 storm water sampling effort for the Fairbanks Blvd. project
- Letter from Inland Survey, Inc. dba Zanca Land Surveying dated Dec. 13, 2007 RE: Mosher Lane DEP 212-870
- Letter from Acton Survey & Engineering, Inc. dated Dec. 14, 2007 RE: 246 Maple St. Bluefin Properties, LLC DEP 212-1026
- Letter to Thomas A Martinez, dated Dec. 19, 2007 RE: Assabet River Signage and Kiosk – Robin Hill St. Completed Eagle Project Proposal.

Meetings – Next Conservation Commission meetings are scheduled for January 17 and February 7, 2008 (Thursdays)

Adjournment

There being no further business the meeting was adjourned at 9:40 PM.

Respectfully submitted,

Priscilla Ryder
Conservation Officer